

Councilmember _____ introduced the following resolution and moved for its adoption:

RESOLUTION #11-05-__

A RESOLUTION APPROVING THE ISSUANCE OF A HOME OCCUPATION PERMIT TO OPERATE AN AUTO BODY REPAIR AND REFINISHING BUSINESS ON THE PROPERTY LOCATED AT 17441 BAUGH ST NW BASED ON FINDINGS OF FACT #__ AND DECLARING TERMS OF PERMIT

WHEREAS, the Ramsey City Council adopted Resolution #11-05-__ adopting Findings of Fact #__ for this use and herein approves the home occupation permit.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:

On May 31st, 2011, a home occupation permit ("Permit") was issued by the City of Ramsey ("CITY") to Lawrence and Paula Ferber ("PERMITTEE") to operate an auto body repair and refinishing business on the property generally known as 17441 Baugh St NW and legally described as follows:

Lot 1, Block 1, Whitetail Meadows, City of Ramsey, Anoka County, Minnesota.

(the "Subject Property")

This permit is issued pursuant to Section 117-51 and 117-351 of the Ramsey City Code. The conditions of this permit are as follows:

1. That this resolution shall allow for the operation of an auto body repair and refinishing business (the "Home Occupation") to operate in a detached accessory building on the **Subject Property**. The area set aside for the home occupation in the detached accessory building shall not exceed the total accessory building space or height allowed on the site (as established in City Code Section 117-349). The **PERMITTEE** shall be required to reserve at least 400 square feet of accessory building space for the purposes of the primary residential use.
2. That the **PERMITTEE** shall reside in the dwelling unit of the **Subject Property** and is allowed up to three (3) non-resident employees (the "Non-resident Employees") on the **Subject Property** unless otherwise permitted by City Code. Notification must be given to the **CITY** if the **PERMITTEE** will utilize any non-resident employees.
3. That the established business hours are Monday-Friday from 8:00 a.m. to 4:30 p.m. on the **Subject Property**. The Home Occupation may not operate on Saturdays or Sundays.
4. That the number of vehicular traffic trips per day to and from the **Subject Property** may not exceed twenty (20) vehicle trips per twenty-four (24) hour period and vehicular traffic trips include deliveries, non-residential waste collection, customers, and employees, five (5) days a week on the Subject Property.
5. That the **PERMITTEE** shall not lease the business portion of the accessory building located on the Subject Property to any person(s) that does not reside on the **Subject Property**.
6. That the **PERMITTEE** agrees to comply with Chapter 117, Article II, Division 6, Subdivision 1 of City Code, titled "Signs".

7. That the **PERMITTEE** agrees to comply with section 117-355 of City Code relating to outside storage and maneuvering of vehicles and equipment on the **Subject Property**; all parking and maneuvering areas on the **Subject Property** must be surfaced with concrete, bituminous or class V gravel.
8. That should the **PERMITTEE** utilize Non-resident Employees, they shall park on the driveway on the **Subject Property**.
9. That the **PERMITTEE** agrees there shall be no exterior evidence of the home occupation on the **Subject Property** other than the existing, small, fenced enclosure west of the detached accessory building and customer and employee parking.
10. That the **PERMITTEE** must obtain all applicable permits to ensure that the structures are compliant with all applicable state and local codes.
11. That the **PERMITTEE** shall install proper ventilation for the flammable liquid separator, which is located on the exterior of the detached accessory building and is required to collect waste from the floor drain, within ten (10) days of approval of this **Permit**. Said ventilation shall be a minimum three (3) inch vent installed a minimum of twelve (12) inches above finished grade.
12. That should the **PERMITTEE** die or sell the **Subject Property**, the **Permit** shall be automatically terminated, except that in the case of death, should a surviving spouse or child, residing at the same address, desire to continue the home occupation, written notice to that effect shall be given to the City Administrator and the City Council may authorize continuation of the **Permit** without further hearing.
13. The **PERMITTEE** shall reside on the **Subject Property**; if the **PERMITTEE** does not reside on the **Subject Property**, the **Permit** shall be terminated.
14. That adequate water supply and on-site sewage disposal facilities shall be the responsibility of the **PERMITTEE**.
15. The **PERMITTEE** shall be responsible for maintaining any applicable State or County licenses and permits.
16. The **PERMITTEE** shall be responsible for all costs incurred in the administration and enforcement of this **Permit**.
17. That the City Administrator, or his/her designee, shall have the right to inspect the premises for compliance and safety purposes annually or at any time, upon reasonable request.
18. That the **Permit** may be suspended or revoked by the City Council for cause after a hearing before the City Council. Any such revocation hearing shall be processed the same as for conditional use permits in accordance with City Code Section 117-51.

CITY OF RAMSEY:

By: _____
Mayor

By: _____
City Clerk

STATE OF MINNESOTA)
) ss.
COUNTY OF ANOKA)

On this _____ day of _____, _____, before me, a Notary Public, personally appeared Bob Ramsey and JoAnn M Thieling, to me personally known, who, being each by me duly sworn did say that they are respectively the Mayor and City Clerk of the City of Ramsey, the Municipal Corporation named in the foregoing instrument, and seal affixed to said instrument is the corporate seal of said Municipal corporation, and the said instrument was signed and sealed on behalf of said Municipal Corporation by authority of its City Council and said Bob Ramsey and JoAnn M. Thieling acknowledge said instrument to be the free act and deed of said Municipal Corporation.

Notary Public

The document drafted by:
The City of Ramsey
7550 Sunwood Dr NW
Ramsey, Minnesota 55303

This document reviewed by:
Randall and Goodrich
2140 Fourth Avenue
Anoka, MN 55303